

立法會
Legislative Council

LC Paper No. CB(2)1762/13-14

Ref : CB2/H/5/13

House Committee of the Legislative Council

**Minutes of the 27th meeting
held in Conference Room 1 of the Legislative Council Complex
at 2:30 pm on Friday, 6 June 2014**

Members present:

Hon Andrew LEUNG Kwan-yuen, GBS, JP (Chairman)
Hon Ronny TONG Ka-wah, SC (Deputy Chairman)
Hon Albert HO Chun-yan
Hon CHAN Kam-lam, SBS, JP
Dr Hon LAU Wong-fat, GBM, GBS, JP
Hon Emily LAU Wai-hing, JP
Hon TAM Yiu-chung, GBS, JP
Hon Tommy CHEUNG Yu-yan, SBS, JP
Hon Frederick FUNG Kin-kee, SBS, JP
Hon Vincent FANG Kang, SBS, JP
Hon WONG Kwok-hing, BBS, MH
Prof Hon Joseph LEE Kok-long, SBS, JP, PhD, RN
Hon Jeffrey LAM Kin-fung, GBS, JP
Hon WONG Ting-kwong, SBS, JP
Hon Cyd HO Sau-lan
Hon Starry LEE Wai-king, JP
Hon CHAN Hak-kan, JP
Hon CHAN Kin-por, BBS, JP
Dr Hon Priscilla LEUNG Mei-fun, SBS, JP
Hon CHEUNG Kwok-che
Hon WONG Kwok-kin, BBS
Hon IP Kwok-him, GBS, JP
Hon Paul TSE Wai-chun, JP
Hon Alan LEONG Kah-kit, SC
Hon Albert CHAN Wai-yip
Hon WONG Yuk-man
Hon Claudia MO
Hon James TIEN Pei-chun, GBS, JP
Hon NG Leung-sing, SBS, JP
Hon Steven HO Chun-yin

Hon WU Chi-wai, MH
Hon YIU Si-wing
Hon Gary FAN Kwok-wai
Hon Charles Peter MOK
Hon CHAN Chi-chuen
Hon CHAN Han-pan
Dr Hon Kenneth CHAN Ka-lok
Hon CHAN Yuen-han, SBS, JP
Hon LEUNG Che-cheung, BBS, MH, JP
Hon Kenneth LEUNG
Hon Alice MAK Mei-kuen, JP
Dr Hon KWOK Ka-ki
Hon KWOK Wai-keung
Hon Dennis KWOK
Hon Christopher CHEUNG Wah-fung, JP
Dr Hon Fernando CHEUNG Chiu-hung
Hon IP Kin-yuen
Dr Hon Elizabeth QUAT, JP
Hon Martin LIAO Cheung-kong, JP
Hon POON Siu-ping, BBS, MH
Hon TANG Ka-piu
Dr Hon CHIANG Lai-wan, JP
Ir Dr Hon LO Wai-kiwok, BBS, MH, JP
Hon CHUNG Kwok-pan
Hon Christopher CHUNG Shu-kun, BBS, MH, JP
Hon Tony TSE Wai-chuen

Members absent:

Hon LEE Cheuk-yan
Hon James TO Kun-sun
Hon LEUNG Yiu-chung
Hon Abraham SHEK Lai-him, GBS, JP
Dr Hon LAM Tai-fai, SBS, JP
Dr Hon LEUNG Ka-lau
Hon Mrs Regina IP LAU Suk-yee, GBS, JP
Hon LEUNG Kwok-hung
Hon Michael TIEN Puk-sun, BBS, JP
Hon Frankie YICK Chi-ming
Hon MA Fung-kiwok, SBS, JP
Hon SIN Chung-kai, SBS, JP
Dr Hon Helena WONG Pik-wan

Clerk in attendance :

Miss Flora TAI

Clerk to the House Committee

Staff in attendance :

Mr Kenneth CHEN, SBS	Secretary General
Mr Jimmy MA, JP	Legal Adviser
Mrs Justina LAM	Deputy Secretary General
Mr Andy LAU	Assistant Secretary General 1
Miss Odelia LEUNG	Assistant Secretary General 3
Mrs Percy MA	Assistant Secretary General 4
Ms Connie FUNG	Senior Assistant Legal Adviser 1
Mr Stephen LAM	Senior Assistant Legal Adviser 2
Mr KAU Kin-wah	Senior Assistant Legal Adviser 3
Ms Dora WAI	Principal Council Secretary 1
Ms Emily PANG	Chief Public Information Officer
Ms Amy YU	Chief Council Secretary (2)6
Mr Timothy TSO	Assistant Legal Adviser 2
Mr YICK Wing-kin	Assistant Legal Adviser 8
Miss Mimi CHANG	Assistant Legal Adviser 11
Miss Josephine SO	Senior Council Secretary (2)6
Miss Jasmine TAM	Senior Council Secretary (2)8
Miss Karen LAI	Council Secretary (2)6
Mr Ringo LEE	Senior Legislative Assistant (2)1
Ms Anna CHEUNG	Senior Legislative Assistant (2)3
Mr Arthur KAN	Legislative Assistant (2)7

Action

I. Confirmation of the minutes of the 26th meeting held on 30 May 2014

(LC Paper No. CB(2)1673/13-14)

The minutes were confirmed.

II. Matters arising

Report by the Chairman on his meeting with the Chief Secretary for Administration

2. The Chairman said that there was nothing special to report.

III. Business arising from previous Council meetings

(a) **Legal Service Division report on bill referred to the House Committee in accordance with Rule 54(4)**

Kowloon Tong Church of the Chinese Christian and Missionary Alliance Incorporation (Amendment) Bill 2014
(*LC Paper No. LS57/13-14 issued vide LC Paper No. CB(2)1650/13-14 dated 29 May 2014*)

3. At the invitation of the Chairman, Legal Adviser ("LA") briefed Members on the report prepared by the Legal Service Division ("LSD") on the Bill. Members considered it not necessary to form a Bills Committee to study the Bill and did not raise objection to the resumption of the Second Reading debate on the Bill.

(b) **Legal Service Division report on subsidiary legislation gazetted on 30 May 2014 and tabled in Council on 4 June 2014**
(*LC Paper No. LS59/13-14*)

4. At the invitation of the Chairman, LA briefed Members on the LSD report on the 11 items of subsidiary legislation (i.e. L.N. 63 to L.N. 73) gazetted on 30 May 2014 and tabled in Council on 4 June 2014.

5. Members did not raise any questions on these items of subsidiary legislation.

6. The Chairman reminded Members that the deadline for amending these items of subsidiary legislation was the Council meeting of 2 July 2014.

IV. Further business for the Council meeting of 11 June 2014

Bills - First Reading and moving of Second Reading

Supplementary Appropriation (2013-2014) Bill

7. The Chairman said that the Administration had given notice to present the above Bill to Council on 11 June 2014.

Action

Members' motions without legislative effect which had yet to be dealt with by the Council

8. The Chairman informed Members that the unfinished business on the Agenda of the Council meeting of 4 June 2014 would stand over to the Council meeting of 11 June 2014.

9. The Chairman further said that pursuant to the arrangement agreed at the House Committee ("HC") meeting on 23 May 2014 that not more than two Members' motions without legislative effect ("Members' motions") would be dealt with at each of the six Council meetings to be held between 4 June and 9 July 2014, as the two Members' motions originally scheduled for the Council meeting of 4 June 2014 would stand over to the Council meeting of 11 June 2014, the two Members' motions originally scheduled to be debated at the Council meeting of 11 June 2014 would be deferred to the Council meeting of 18 June 2014. The Chairman added that correspondingly, the two Members' motions scheduled for debate at each of the subsequent Council meetings would be deferred by one week, and that the two Members' motions originally scheduled for the Council meeting of 9 July 2014 would be deferred to the first regular Council meeting of the next legislative session. Members noted the arrangement.

10. In response to Ms Emily LAU's enquiry on the meeting arrangement for the Council meeting of 11 June 2014, the Chairman advised that the Council meeting would continue until 12:30 pm on Friday, 13 June 2014.

V. Business for the Council meeting of 18 June 2014

(a) Questions

(LC Paper No. CB(3)697/13-14)

11. The Chairman said that 22 questions (six oral and 16 written) had been scheduled for the meeting.

(b) Bills - First Reading and moving of Second Reading

12. The Chairman said that no notice had been received yet.

(c) **Government motion**

Proposed resolution under section 54A of the Interpretation and General Clauses Ordinance (Cap. 1) to be moved by the Secretary for Commerce and Economic Development

(Wording of the proposed resolution issued vide LC Paper No. CB(3)670/13-14 dated 22 May 2014)

13. The Chairman said that the Administration had withdrawn its notice for moving the above proposed resolution at the Council meeting.

(d) **Members' motions**

(i) **Proposed resolution to be moved by Hon Charles Peter MOK under section 34(4) of the Interpretation and General Clauses Ordinance (Cap. 1) in relation to the:**

- **Telecommunications (Method for Determining Spectrum Utilization Fee) (Administratively Assigned Spectrum in the 1.9–2.2 GHz Band) Regulation;**
- **Telecommunications (Determining Spectrum Utilization Fees by Auction) (Amendment) Regulation 2014; and**
- **Telecommunications (Method for Determining Spectrum Utilization Fees) (Third Generation Mobile Services) (Amendment) Regulation 2014**

(Wording of the proposed resolution issued vide LC Paper No. CB(3)705/13-14 dated 5 June 2014)

14. The Chairman said that Mr Charles MOK, Chairman of the Subcommittee on the above three Regulations, had given notice to move a proposed resolution at the Council meeting to extend the scrutiny period of the Regulations to the Council meeting of 9 July 2014.

(ii) **Motion on "The 4 June incident" to be moved by Hon LEE Cheuk-yan**

(Wording of the motion issued vide LC Paper No. CB(3)598/13-14 dated 29 April 2014)

Action

(iii) Motion on "Setting up a 'Future Fund' for establishing an integrated retirement protection system" to be moved by Hon WONG Kwok-kin

(Wording of the motion issued vide LC Paper No. CB(3)603/13-14 dated 30 April 2014)

15. Members noted that the above two Members' motions would be postponed to the Council meeting of 25 June 2014.

Report of HC on Consideration of Subsidiary Legislation

16. The Chairman invited Members to note the list tabled at the meeting (LC Paper No. CB(3)702/13-14), which contained one item of subsidiary legislation the period for amendment of which would expire at the Council meeting of 18 June 2014. He reminded Members to indicate their intention by 5:00 pm on Tuesday, 10 June 2014, should they wish to speak on this item of subsidiary legislation.

VI. Position on Bills Committees and subcommittees

(LC Paper No. CB(2)1674/13-14)

17. The Chairman said that as at 5 June 2014, there were 16 Bills Committees, six subcommittees under HC and nine subcommittees on policy issues under Panels in action. Two subcommittees on policy issues were on the waiting list.

VII. Any other business

18. There being no other business, the meeting ended at 2:40 pm.